



IAP13 Rec'd PCT/PTO 03 JAN 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Adrian MENZELL et al.

Serial No: **10/578,311**

Filed : **May 4, 2006**

ATTN: **BOX PCT**

For : **EMISSION CONTROL DEVICES**

COMMUNICATION

Commissioner for Patents
P.O. Box 1451
Alexandria, Virginia 22313-1451

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed on December 28, 2006, attorney for applicant responds by submitting a Declaration and Power of Attorney, executed by Messrs. Kostic and Menzell and the executor of the estate of Patrick Baker.

Additionally, attorney for applicant submits the Last Will and Testament of Mr. Patrick Baker, appointing the executors of his estate.

Attorney for applicant also encloses a copy of the Death Certificate indicating that Patrick Dennis Baker died on April 15, 2006.

Lastly, attorney for applicant submits a copy of the Notice of Missing Requirements Under 35 U.S.C. 371, and our check in the amount of \$65.00, to satisfy the processing fee for the late submission of a Declaration.

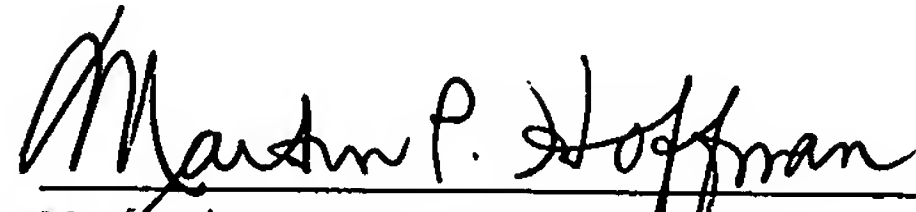
01/05/2007 ATRAN1 00000055 10578311

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65.00 DP

If any additional fees fall due and owing, the Commissioner is authorized to charge same to Deposit Account 08-2455.

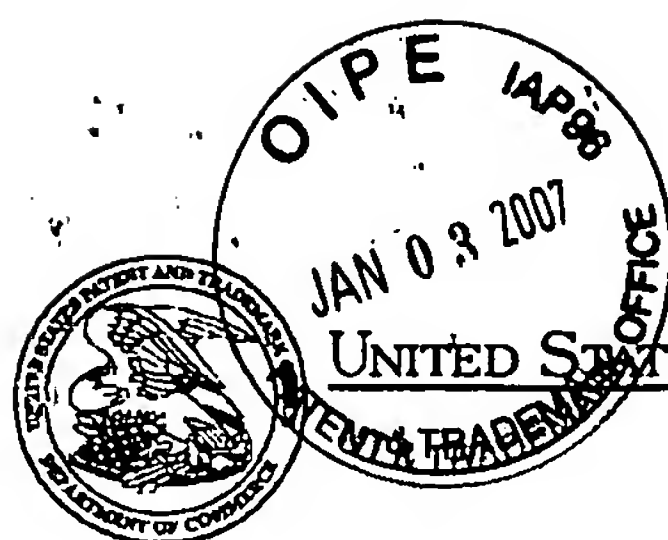
Respectfully submitted,



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Reg. No. 22,261

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Attorneys Docket No.: A-10047.RNFMP/bh



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/578,311	Adrian Menzell	A-10047

INTERNATIONAL APPLICATION NO.

PCT/AU04/01518

I.A. FILING DATE	PRIORITY DATE
11/03/2004	11/04/2003

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CONFIRMATION NO. 5742

371 FORMALITIES LETTER



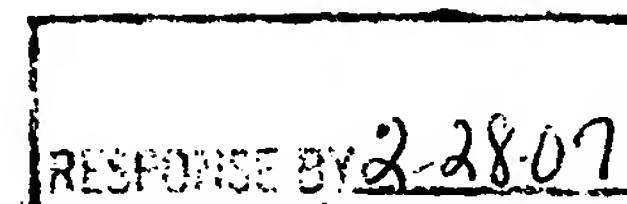
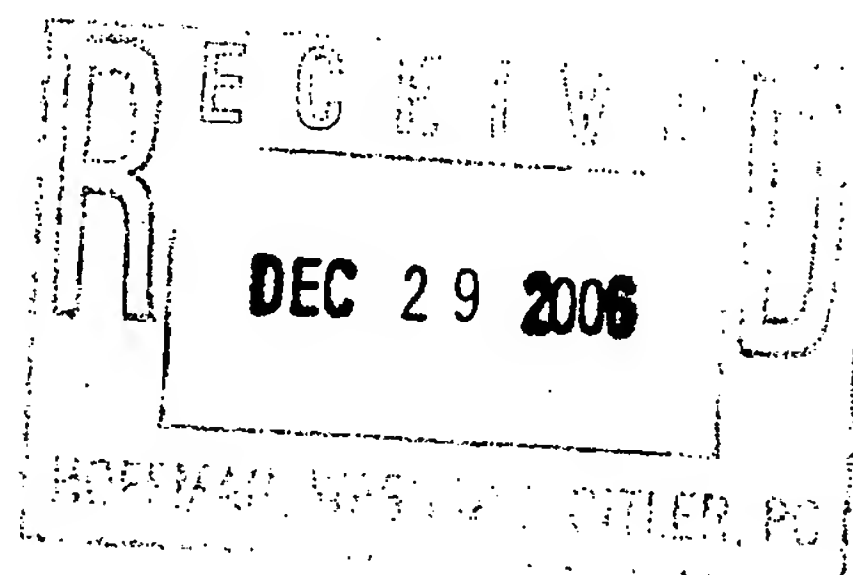
0C000000021758656

Date Mailed: 12/28/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 05/04/2006
- Copy of the International Search Report filed on 05/04/2006
- Copy of IPE Report filed on 05/04/2006
- Preliminary Amendments filed on 05/04/2006
- Information Disclosure Statements filed on 05/04/2006
- Oath or Declaration filed on 05/04/2006
- U.S. Basic National Fees filed on 05/04/2006
- Specification filed on 05/04/2006
- Claims filed on 05/04/2006
- Abstracts filed on 05/04/2006
- Drawings filed on 05/04/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,

must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/578,311	PCT/AU04/01518	A-10047